REMARKS

The Office imposed the following restriction requirement:

Group I.	Claims 155-160, [161-162[1]], 170-171, and 179.
Group II	Claims 163-167
Group III	Claim 168
Group IV	Claim 172
Group V	Claims 173-176
Group VI	Claim 177
Group VII.	Claim 178

Applicants respectfully traverse the requirement for restriction, and respectfully request the restriction be reviewed and either withdrawn or modified.

Each of the pending claims relates to polypeptides that specifically bind BDCA-2, a novel dendritic cell-specific surface protein discovered by the Applicants, and determined by the Applicants to play an important role in dendritic cell function. Applicants submit that, given a search of one group (e.g., Group I) a search of all of the claims could be conducted without significantly adding to the burden on the Office. A restriction requirement is proper only if there would be a *serious burden* of search and examination absent restriction.

Applicants submit that, at minimum, **Groups I and II should be rejoined and examined together**. Both of these groups contain claims to a composition comprising an isolated antigen-binding fragment; in the compositions of Group II the antigen-binding fragment is bound to a BDCA2 protein. Applicants respectfully submit that these groups should be rejoined because the requisite *serious burden* on the Office to search and examine the claims together is clearly absent.

[1] It is believed claims 161 and 162 were inadvertently omitted from Group I. These two claims are not listed in any group, and are clearly related (note dependency) to the claims grouped together by the Office in Group I.

In the event that the instant Restriction Requirement is maintained despite the above discussion, Applicants elect Group I, claims 155-160 [161-162], 170-171 and 179, with traverse for the reasons presented above.

The Office indicated (paragraph 6) that, in the event of election of Group I or II, a specific BDCA-2-protein antigen binding fragment listed in claim 160 should be elected for examination. Applicants understand that the Office has imposed a requirement under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits. Applicants understand that if a generic claim is finally held to be allowable, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. Accordingly, for examination, Applicants elect the monoclonal antibody designated AC144 and binding fragments thereof. All of the claims in Groups I and II read on this species.

CONCLUSION

Applicants have, by way of the amendments and remarks presented herein addressed all issues that were raised in the outstanding Restriction Requirement. Applicant respectfully contends that this Amendment has overcome the rejections and that the pending claims are in condition for allowance. If it s determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 212302001100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: March 13, 2003

By: _____

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

161. (Amended) The antigen-binding fragment of any of claims [155-160] 155-159 that is conjugated to a chemically functional moiety.

163. The antigen-binding fragment of any of claims [155-160] 155-159 that is bound to a BDCA-2 protein.

164. An antigen-binding fragment of any of claims [155-160] 155-159 that is bound to a cell that expresses a BDCA-2 protein.